

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Applicants respectfully request that the Information Disclosure Statement being filed currently herewith be considered and acknowledged.

Claims 1-7 were pending in this application. Claims 1- 7 have been amended hereby to clarify the invention and claims 8-10 have been added to claim additional aspects of the invention. Accordingly, claims 1-10 will be pending herein upon entry of this Amendment. Support for the amendment can be found, for example, from line 17 of page 12 to line 16 of page 13 of the present application. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action, claim 7 was rejected under 25 U.S.C. § 112, second paragraph as being indefinite and claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by West (U.S. Patent No. 5,574,979). To the extent any of these rejections might still be applied to claims presently pending in this application, it is respectfully traversed.

Examiner Wahba is thanked for the courtesies extended to Applicants' representative during the telephone interview conducted on November 21, 2003, and several preliminary discussions prior to that date. The substance of the interview is incorporated into the following remarks.

Regarding the § 112, second paragraph rejection, Applicants have substituted “of” for “or” between the words “multiple” and “fraction” in the preamble. This is to point out that effective duration of the data frame can be of such a duration that is dividable with the period of interference, allowing easier synchronization of the data frame with interference.

Regarding the § 102(b) rejection, Applicants first note that the invention claimed in the present application is different from that disclosed in West. West relates to how to avoid interference that is generated from a microwave oven by detecting periodic interference and only performing transmission in the time slots when the interference is absent (col. 61, lines 30-34). As recited in each of independent claims 1-2 and 7, the present application relates to transmitting the same information (e.g., data packet) twice. West does not disclose transmission of the same information twice.

Further, West does not recognize that there are two distinct interference profiles, Segment A and Segment B, that are generated from typical microwave oven (see Figures 1-2 pages 8-17 of the present application). As presented in West, the technology disclosed in West tries to avoid whole half cycle of an AC period, which would effectively lower throughput of the system by about 50%.

In the present application, however, this is not the case. Segment A interference on a limited number of the channels is avoided by using a different Dynamical Channel Allocation mechanism that is widely known in the art. The present invention uses a novel technique to avoid Segment B interference. In the present invention, Segment B profile of the interference on

a majority of the channels are avoided by using redundant transmission of the information (e.g., data packet).

With respect to claim 1, the recited elements of “assigning a second time slot upon which a redundant copy of the information is to be transmitted” and “transmitting the redundant copy of the information within the second time slot” are not taught or otherwise suggested in West. In lines 15-42 in column 61, West teaches how to avoid interference that is generated from microwave oven by detecting periodic interference and only performing transmission in the times when interference is absent (see lines 30-34 in column 61). Thus, West simply teaches that one part of the same data packet will start to be transmitted in Access Interval that will start in one communication transmission time (e.g., 5005) and will end after waiting for an absence of the interference (e.g., 5007) (see lines 14-18 in column 61). West does not teach or suggest redundant transmission of the same data packet on the second time slot, as recited in claim 1 of the present application. The “redundant” limitation is supported by the present application in, for example, from line 17 of page 12 to line 16 of page 13. Accordingly, Applicants believe the rejection has been overcome.

Similarly, each of claims 2 and 7 has been amended to include the redundant transmission limitation. Thus, claims 2 and 7 are now believed to be patentable over West. Since each of dependent claims 3-6 and 8-10 depends from an allowable independent claim, they are also believed to be in condition for allowance.

Serial No.: 09/578,140
Art Unit: 2661

Attorney's Docket No.: VTX0061-US
Page 10

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicants' undersigned representative at the number listed below.

SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102
Tel: 703-770-7696

Date: January 27, 2004

Respectfully submitted,

HORVAT ET AL.

By: 
6

Michael D. Bednarek
Registration No. 32,329

POH CHUA
44,615

MDB/PCC:kmh